HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 6015 of 2007

PETITIONER Ku. Uma Yadav d/o Shri C.L. Yadav, Aged about 25 years, R/o B.D. Mahant, New Chandniya Para, Janjgir, District Janjgir Champa(CG)

Versus

RESPONDENTS

1. State of Chhattisgarh through the Secretary Food and Civil Supplies and Consumer Protection Department, DKS Bhawan, Raipur, District Raipur(CG)
2. The Director, Food and Civil Supplies and Consumer Protection Department, DKS Bhawan, Raipur(CG)
3. Chhattisgarh Professional Examination Board through the Secretary Raipur(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUION OF INDIA

Appearance:

Shri B.R.Ghosh, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy.

ORAL ORDER
(10.10.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner has challenged the contents of advertisement dated 18th July 2007, published in Rojgar Aur Niyojan in connection with filling of the vacant post of Food and Civil Supplies Inspector.

Learned counsel for the petitioner submits that the petitioner is aggrieved with the qualification fixed for the said post vide column No. 4 (i) (a), which says that the candidate should be graduate from any recognized university. He submits that apart from the said qualification, preference should be given to those candidates, who have qualification of degree/diploma in Food & Technology and a mandamus should be issued in this regard.

Needless to say that the qualifications are based upon the statutory provisions applicable for appointment to a particular post and further preference etc. are also based on statutory

provisions as also on the policy made by the State in this regard. Unless a violation of statutory Rules or the Act is shown with regard to fixation of minimum qualification or with regard to fixation of preference etc., a mandamus cannot be issued by a writ Court for doing so.

On the basis of the pleadings made in the writ petition and also on the ground pressed before this Court by learned counsel for the petitioner, no case for interference is made out.

The petition has no merits and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

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